

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DUSTIN CUNNINGHAM and XANE OLSON,) on behalf of themselves and all others similarly) situated,))		
Plaintiffs,)		Case No. 1:25-cv-3959
v.)		
)		
REYNOLDS CONSUMER PRODUCTS, INC.,)		
)		
Defendant.)		

**MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT BY
REYNOLDS CONSUMER PRODUCTS, INC.**

Defendant Reynolds Consumer Products, Inc. (“Reynolds”), through its undersigned counsel, hereby moves this Court for an extension of the deadline to respond to the Complaint of Plaintiff Dustin Cunningham and Xane Olson (“Plaintiffs,” collectively with Reynolds, the “Parties”). In support of its motion, Reynolds states as follows:

1. Plaintiffs filed their Complaint on or about January 22, 2025, in the Circuit Court for the Nineteenth Judicial Circuit, Lake County, Illinois, Case No. 2053LA61 (the “State Court Action”).
2. On March 13, 2025, counsel for Reynolds received a copy of the Complaint via email and agreed on behalf of Reynolds to execute the Waiver of Service of Summons and Acknowledgement of Receipt of Complaint, making the deadline for Reynolds to respond to the Complaint May 12, 2025.
3. On April 11, 2025, Reynolds removed this action to this Court pursuant to 28 U.S.C. §§ 1332, 1441, 1446, and 1453. *See* ECF No. 1.
4. Pursuant to Rule 81(c)(2)(C) of the Federal Rules of Civil Procedure, absent any

extension, Reynolds must file its response to the Complaint seven days from the date of removal, or April 18, 2025.

5. Counsel for the Parties have engaged in informal discovery (Counsel for Reynolds has shared documents with Counsel for the Plaintiffs) and met and conferred regarding the merits of Plaintiffs' Complaint to determine whether motion practice might be avoided. The Parties' discussions remain ongoing, and the Parties and this Court would benefit from additional time to complete those discussions, which may moot the need for motions practice or further litigation.

6. Reynolds therefore respectfully requests a 42-day extension (from April 18, 2025 to May 30, 2025) of the deadline to respond to the Complaint.

7. Counsel for Reynolds conferred with counsel for Plaintiffs regarding the requested extension, and Plaintiffs do not object to the relief requested.

8. This is Reynolds's first request for an extension of time to respond to the Complaint.

9. This request is made in good faith and not for any improper motive and will not prejudice any party as evidenced by Plaintiffs' assent to the relief requested herein.

WHEREFORE, for the foregoing reasons, Reynolds respectfully requests that the Court extend the deadline to respond to the Complaint from April 18, 2025 to May 30, 2025, and reset all related deadlines, including the May 28, 2025 initial status hearing, accordingly.

Dated: April 18, 2025

Respectfully submitted,

FAEGRE DRINKER BIDDLE & REATH LLP

s/ Justin O. Kay

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CERTIFICATE OF SERVICE

This is to certify that I have this 15th day of April, 2025, served a copy of the foregoing Motion for Extension of Time to Respond to the Complaint upon the following counsel of record via email and

U.S. Regular Mail:

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